

<b>DEPARTMENT OF HUMAN SERVICES FAMILY INVESTMENT ADMINISTRATION</b>	<b>PUBLIC ASSISTANCE TO ADULTS MANUAL</b>	
<b>PAYEE OF GRANT</b>	<b>Section 600</b>	<b>07.03.07.09</b>

### **600.1 Payee of PAA Grant**

- A. The eligible individual who is capable of managing his or her own affairs should be the payee of his or her own PAA grant.
- B. In situations where it has been confirmed by medical and social findings that the recipient is unable to manage money and making a payment to him would not be in his best interest, protective payment may be made to an agency appointed representative payee.
- C. If a person or a committee has been appointed by the court to act as a recipient's guardian or trustee, this legally appointed entity may serve as the representative payee.
- D. Carefully evaluate the need for a representative payee based upon the customer's level of functioning. A representative payee should not be automatically assumed or used as a convenience to the care provider.

### **600.2 The Representative Payee**

- A. The representative payee should be a responsible and reliable person who is available to access the recipient's benefits and assist with maintaining the individual's well-being. The representative payee may not be an individual whose selection would create a conflict of interest, including:
  1. Staff members of the Department of Social Services Administration, Family Investment Administration workers or supervisory staff whose work may affect the recipient's eligibility for assistance.
  2. The operator of licensed Assisted Living Care facilities and other vendors dealing with recipients for profit.
- B. If there is no suitable person, as defined above, to act as a representative payee for the recipient; the PAA case manager refers the case to Adult Services.
  1. The Adult Services worker will attempt to find a representative payee.
  2. The director of a Local Department of Social Services may serve as a payee for the recipient as a last resort.
- C. Establish appropriate fiscal accounting.

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- D. When a representative payee is located, the Adult Services worker completes the Representative Payee's Agreement section of the Disability Certification form (Section I of the DHS/FIA 4350 rev 10-2013) and refers the case back to the PAA case manager.
- E. The PAA case manager works with the payee on establishing and reestablishing at redetermination the recipient's eligibility for assistance.
- F. Regardless of the individual chosen to be the representative payee, the following conditions must be met for each case with protective payments:
1. The protective payments must meet the full needs of the recipient according to current standards.
  2. At least once every 6 months, the local director or a person in a designated administrative or supervisory position must review the decision to make protective PAA payments to a representative payee on behalf of the recipient.
  3. Protective payments must be terminated when the recipient can manage his or her funds and affairs, when the recipient acquires a court-appointed guardian or other legal representative acting on his or her behalf, or when it is in the recipient's best interest to do so.
  4. Terminate the protective payments immediately if the agency learns that the representative payee has a conflict of interest or is handling the recipient's funds in a fraudulent or exploitative manner.
    - Any program payments that are obtained or used in a fraudulent manner are considered an overpayment and are subject to recoupment.